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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/535,348

05/18/2005

Franz Amtmann

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02/05/2010

NXP, B.V.

NXP INTELLECTUAL PROPERTY & LICENSING

M/S41-SJ

1109 MCKAY DRIVE

SAN JOSE, CA 95131

EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

NOTIFICATION DATE

DELIVERY MODE

02/05/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/535,348	Applicant(s) AMTMANN ET AL.	
	Examiner VERNAL U. BROWN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5 and 13 is/are rejected.
- 7) ☒ Claim(s) 4, 6-12, and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communication filed on 11/06/09.

Response to Arguments

Applicant argues on pages that the reference of Walczak is silent on teaching the check sequence block include data that is significant for a group of transponders. It is the examiner's position that the reference of Walczak et al. teaches the information sequence block transmitted to the transponder includes data that is significant for a group of transponder by including the group identification in the transmitted information sequence (col. 4 lines 35-46). Walczak et al. also teaches that each information sequence is verified as the corresponding check sequence is received and the check sequence is calculated from the information sequence (col. 3 lines 30-35). It is therefore the examiner's position that the check byte is inherently significant for the group of transponder because the check byte is generated based on the information sequence and the information sequence includes the 16 bits transponder group identification and the check byte is also used to verify the information sequence and the group identification is included in the information sequence. The reference of Meier is relied upon for teaching the use of CRC check data block.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2612

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3, 5, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walczak et al. US Patent 5818348 in view of Meier European Paten Application EP 0805575.

Regarding claims 1, 3, 5, 13, Walczak et al. teaches a communication station (interrogator) delivering a request signal to a transponder (col. 3 lines 57-60) and the request signal to the transponder includes a command data block and a check data block (col. 4 line 63- col. 5 line 6). Walczak et al. teaches the ID transmitted to the transponder represent a group identification (col. 4 lines 35-46) and teaches the information sequence and the check data is evaluated in the transponder (col. 3 lines 26-35). Walczak et al. also teaches that each information sequence is verified as the corresponding check sequence is received and the check sequence is calculated from the information sequence (col. 3 lines 30-35). It is therefore the examiner's position that the check byte is inherently significant for the group of transponder because the check byte is generated based on the information sequence and the information sequence includes the 16 bits transponder group identification. Walczak et al. also teaches using the check byte to perform error correction (col. 3 lines 33-34). Walczak et al. is silent on teaching the check sequence block is a CRC check data block. Meier in an analogous art teaches a CRC algorithm represent a suitable means used for determining if the data is correctly received in a transponder system (page 2 lines 34-43).

It would have been obvious to one of ordinary skill in the art to modify the system of Walczak et al. as disclosed by Meier because the CRC detection algorithm represent a

Art Unit: 2612

conventionally used error detection and correction algorithm use for ensuring the integrity of transmitted data.

Allowable Subject Matter

Claims 4, 6, 8-9, 11-12, and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 4, 6, 8-9, 11-12, the prior art of record fail to teach or suggests the start value means stores a group –significant start value.

Regarding claim 14, the prior art of record fail to teach or suggested that transponder process the command only if the transponder belong to the group of transponder identified by the check byte.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2612

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Primary Examiner, Art Unit 2612